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EXAMINER
JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
3624	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

	Application No.	Applicant(s)
Office Action Summary	10/826,711	PINTO ET AL.
	Examiner	Art Unit	
	SCOTT L. JARRETT	3624	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 March 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 7-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 7-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 April 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/9/2009</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Non-Final Office Action is in response to Applicant's amendment filed March 9, 2009. Applicant's amendment amended claims 1, 7-27 and canceled claims 2-6.

It is noted that Applicant's amendments resulted in all of the currently pending claims, 1 and 7-27, being directly or indirectly dependent from claim 8, the only remaining independent claim.

Election/Restrictions

2.   Applicants elected Group II, claims 8-18, with traverse in the response filed March 9, 2009. However, applicant's claim amendments render the restriction requirement moot as all the currently pending claims 1 and 7-27 currently depend, directly or indirectly, from the only remaining independent claim, claim 8.

Drawings

3.   New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figures 3 and 24 are illegible, informal and/or incomplete. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

4.   Claims 1 and 7-27 are objected to because of the following informalities.

        Regarding Claim 8, claim 8 recites "A machine-based method comprising: in

connection with a project in which a user generates a predictive model based on

historical data about a system being modeled..." wherein it is unclear as to the intended

meets and bounds of the claims. Is the step of the user generating a predictive model

part of the method steps? Or does the user generate the model outside of the method

steps and therefore the method steps start with "providing a user through a graphical

user interface..."? Or is the predictive model generate via the provided graphical user

interface or via some other means?

        Examiner request clarification as to how, if at all, the recitation of the user

generating a predictive model is part of/related to the claimed invention.

        For the purposes of examination the examiner interpreted the claim to read that

the user generates a system model based on historical data either as part of the method

steps or prior to executing the method steps for the purposes of examination.

        Appropriate correction is required.

        Regarding Claim 7, claim 7 recites "enabling the user to replicate...." however

the user does not actually replicate information about the predictive model as currently

claimed. For the purposes of examination the examiner assumes that Applicant will

amend the claims to positively recite that the user actually replicates information about

the predictive model. Appropriate correction required.

Regarding Claim 15, claim 15 recites "at least some of the activities comprise

model design choices including rule parameter settings to be made by the user" wherein

it is noted that as currently recited the user does not actually make any model design

choices and/or set any rule parameter settings. For the purposes of examination the

examiner assumes that the Applicant will amend the claims to positively recite that the

user actually makes model design choices and sets rule parameter settings.

Regarding Claim 19, claim 19 recites that the method *enables* the user to re-

enter one of the model generation activities and to adjust a choice made however it is

noted that the claim as currently recited that the user does not actually re-enter one of

the model generation activities or adjust a choice made as the claim is currently written.

Examiner assumes applicant will amend the claims to positively recite that the user

actually re-enters one of the model generation activities and/or adjusts a choice made

for the purposes of examination.

Appropriate correction required.

Regarding Claim 22, the method as claimed merely enables the user to interact

with a single integrated model generation platform, however the use does not actually

interact with the single model generation platform as claimed. For the purposes of

examination examiner assumes the applicant will amend the claim to recite that user

actually interacts with the model generation platform which in turn actually processes

historical data.

Appropriate correction required.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 1 and 7-27 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Based on Supreme Court precedent, a method/process claim must (1) be tied to another statutory class of invention (such as a particular apparatus) (see at least Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780, 787-88 (1876)) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing (see at least Gottschalk v. Benson, 409 U.S. 63, 71 (1972)).

A method/process claim that fails to meet one of the above requirements is not in compliance with the statutory requirements of 35 U.S.C. 101 for patent eligible subject matter. Here claims 1 and 7-27 fail to meet the above requirements because they are not tied to another statutory class of invention.

Nominal recitations of structure in an otherwise ineligible method fail to make the method a statutory process. See Benson, 409 U.S. at 71-72. As Comiskey recognized, "the mere use of the machine to collect data necessary for application of the mental process may not make the claim patentable subject matter." Comiskey, 499 F.3d at 1380 (citing In re Grams, 888 F.2d 835, 839-40 (Fed. Cir.1989)). Incidental physical

limitations, such as data gathering, field of use limitations, and post-solution activity are

not enough to convert an abstract idea into a statutory process. In other words, nominal

or token recitations of structure in a method claim do not convert an otherwise ineligible

claim into an eligible one.

Claim Rejections - 35 USC § 112

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

8.   Claims 16 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

        Regarding Claim 16, Claim 16 recites the limitation "the data types" and "the

data" in Claim 8. There is insufficient antecedent basis for this limitation in the claim.

        Examiner interpreted the claim to read "a data type" and "data" for the purposes

of examination. Appropriate correction required.

        Regarding Claim 18, Claim 16 recites the limitation "the project goals" in Claim 8.

There is insufficient antecedent basis for this limitation in the claim.

        Examiner interpreted the claim to read "project goals" for the purposes of

examination appropriate correction required.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1 and 7-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over O'Flaherty, U.S. Patent No. 6,954,758 in view of Business Forecast Systems, Inc.

ForecastPro system and method (product) as evidenced by at least the following:

ForecastPro Product Brochure (2000).

       Regarding claim 8 O'Flaherty teaches a system and method comprising:

       - a user generating a predictive model based on data about a system being

modeled (in connection with a project; Column 3, Lines 34-45; Column 7, Lines 38-54;

Figure 4);

       - providing, to the user, via a graphical user interface a structure sequence of

model generation activities to be followed (Application Template, workflow, workbench;

Column 5, Lines 1-13, 52-68; Column 7, Lines 1-12, 37-68; Figures 3-4), the sequence

including sample dataset generation (training data; Column 10, Lines 25-44), variable

transformation (derived measure; Column 9, Lines 21-35), dimension reduction (filter;

Column 3, Lines 5-9; Column 5, Lines 60-68); model generation (Column 7, Lines 8-15,

30-57), model process validation (validation/test set; Column 7, Lines 65-68; Column 8,

Lines 5-12) model re-generation (update, adjust, re-run, etc.; Column 2, Lines 12-17;

Column 8, Lines 4-11) and list scoring ("measure", sorting, ranking, rating, etc.; Column

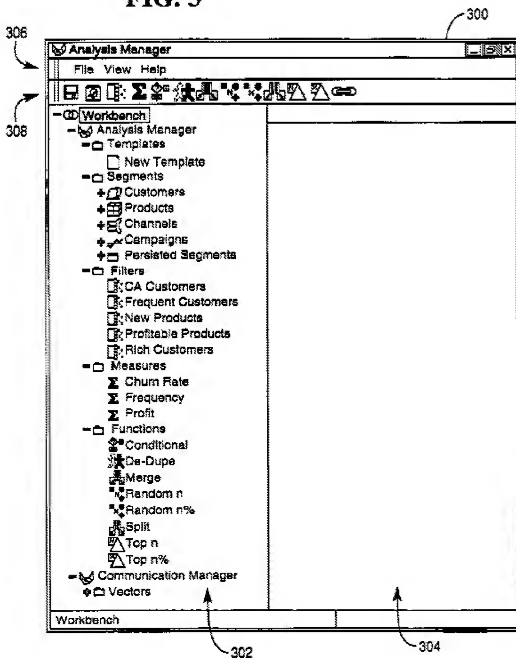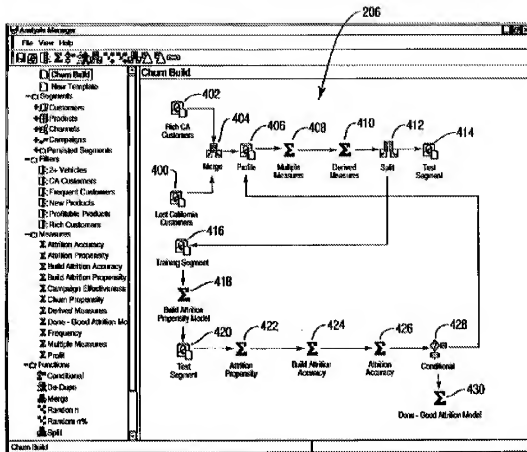6, Lines 53-56; Column 9, Lines 21-25, 58-68).

FIG. 3

FIG. 4

While O'Flaherty data is implicitly historical in nature (e.g. Lost California Customers, Figure 4, Element 400 is historical data) and the use of historical data to predict future values of the data is the essence of nearly all forecasting techniques O'Flaherty does not expressly teach the phrase 'historical data' as claimed.

ForecastPro teaches a user generating a predictive model based on historical data (Last Paragraph, Page 2) about a system being modeled in connection with a project (company, product, service, etc.;) via a graphical user interface that provides

users with a structured sequence of model generation activities to be followed (Figure

on Page 2; Paragraph 1, Page 5) in an analogous art of forecasting for the purpose of

making it easier for users to generate predictive (forecast) models (Last Paragraph,

Page 2).

It would have been obvious to one skilled in the art at the time of the invention

that the system and method as taught by O'Flaherty would have benefited from utilizing

historical data in view of the teachings of ForecastPro, since the claimed invention is

merely a combination of old elements, and in the combination each element merely

would have performed the same function as it did separately, and one of ordinary skill in

the art would have recognized that the results of the combination were predictable.

O'Flaherty does not expressly teach the phrase "dimension reduction" as

claimed.

Official notice is taken that dataset generation, variable transformation,

dimension (feature) reduction (e.g. see Kil et al, U.S. Patent No. 6,684,208), model

generation, model process validation, model re-generation and list scoring are all old

and very well known steps, tasks and/or activities in generating predictive models

and/or forecasting.

It would have been obvious to one skilled in the art at the time of the invention

that the system and method as taught by the combination of O'Flaherty and

ForecastPro with its ability to model any of a plurality of model generation activities

defined by a user via Application Templates would have benefited for including any of a

plurality of well known model generation activities including but not limited to the

plurality of model generation activities claimed in view of the teachings of official notice,

since the claimed invention is merely a combination of old elements, and in the

combination each element merely would have performed the same function as it did

separately, and one of ordinary skill in the art would have recognized that the results of

the combination were predictable.

Further it is noted that the plurality of activities provided via the system/method

graphical user interface merely represents non-functional descriptive material and are

not functionally involved in the steps recited nor do they alter the recited structural

elements. The recited method steps would be performed the same regardless of the

specific data. Further, the structural elements remain the same regardless of the

specific steps/activities provided via the graphical user interface. Thus, this descriptive

material will not distinguish the claimed invention from the prior art in terms of

patentability, *see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir.*

1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claim 1 O'Flaherty teaches a system and method wherein the project further comprises a series of user choice points, actions or parameter settings that govern the generation of the model based on rules and automatically stores information about the choice points, actions or rules (Column 4, Lines 35-61; Column 5, Lines 1-14; Figures 3-4).

Regarding Claim 7 O'Flaherty teaches a system and method further comprising enabling the user to replicate (copy, clone, reuse, etc.) information about the predictive model as it existed as of the making any one of the choices (e.g. users save, reuse and modify existing application templates which capture knowledge/information related to the predictive model in order to generate new models; Column 7, Lines 58-68; Column 8, Lines 1-13).

Regarding Claim 9 O'Flaherty teaches a system and method wherein the system (to be modeled) comprises behavior of customers (prospective or current) of a vendor with respect to products/services offered by the vendor (attrition propensity; Column 7, Lines 40-44; Column 8, Lines 15-20; Column 9, Lines 23-25, 40-43).

Regarding Claim 10 O'Flaherty teaches a system and method wherein the predictive models predicts customer (current or prospective) behavior with respect to purchase of a product/service of a vendor (Column 1, Lines 50-56).

Regarding Claim 11 O'Flaherty teaches a system and method wherein the

predictive model predicts behavior of current customer with respect to retention of a

current vendor service/product (attrition propensity; Column 7, Lines 40-44; Column 8,

Lines 15-20; Column 9, Lines 23-25, 40-43).

Regarding Claim 12 O'Flaherty does not expressly teach that the predictive

model predicts current customer behavior including as claimed.

Official notice is taken that generating and/or utilizing a predictive model that

predicts behavior of a current customer with respect to risk of asserting claims, loan

repayment or prepayment to a vendor is old and very well known in the financial and/or

insurance services industry wherein such common predictive models are used in

analyzing current customer behaviors in order to do things such as determining the

lifetime value of a customer, risk management, target marketing of the like.

It would have been obvious to one skilled in the art at the time of the invention

that the system and method as taught by the combination of O'Flaherty and

ForecastPro would have benefited from modeling any of a plurality of well known and/or

common user behaviors including but not limited to risks of asserting claims, loan

repayment or loan prepayment in view of the teachings of official notice, since the

claimed invention is merely a combination of old elements, and in the combination each

element merely would have performed the same function as it did separately, and one

of ordinary skill in the art would have recognized that the results of the combination

were predictable.

Further it is noted that the various customer behaviors modeled/predicted merely

represents non-functional descriptive material and are not functionally involved in the

steps recited nor do they alter the recited structural elements. The recited method steps

would be performed the same regardless of the specific customer/consumer behaviors

modeled. Further, the structural elements remain the same regardless of the specific

customer/consumer behaviors modeled. Thus, this descriptive material will not

distinguish the claimed invention from the prior art in terms of patentability, *see In re*

Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32

F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claim 13 O'Flaherty teach a system and method wherein the

predictive model predicts behavior of a current customer with respect to usage or a

current vendor service/product (attrition propensity; Column 1, Lines 50-68; Column 7,

Lines 40-44; Column 8, Lines 15-20; Column 9, Lines 23-25, 40-43).

Regarding Claims 14 and 17 O'Flaherty teaches a system and method wherein

the graphical user interface controls staging of the sequence/subsequence of model

generation activities (Application Template, workflow, workbench; Column 5, Lines 1-13,

52-68; Column 7, Lines 1-12, 37-68; Figures 3-4).

Regarding Claim 15 O'Flaherty teaches a system and method wherein at least some of the activities comprise model design choices including rule parameter settings, set by the user, and at least some of the choices are constrained based on characteristics of types of the data (Column 4, Lines 35-61; Column 5, Lines 1-14; Figures 3-4).

Regarding Claim 16 O'Flaherty teach a system and method further comprising representing data types with metadata associated with data (Column 4, Lines 33-42).

Regarding Claim 18 O'Flaherty teaches a system and method wherein the sequence is selected (Column 3, Lines 34-45; Column 5, Lines 1-13, 52-68; Column 7, Lines 1-12, 37-68; Figures 3-4) ("to produce an optimal model subject to constraints of project goals" is merely a recitation of intended use and not given patentable weight).

ForecastPro teaches producing an optimal (best, appropriate, idea, etc.) model subject to constraints of project goals (objectives, constraints, etc.; Paragraph 3, Last Paragraph, Page 2; Paragraph 1, Page 4).

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by O'Flaherty would have benefited from selecting an optimal model subject to constraints in view of the teachings of

ForecastPro, since the claimed invention is merely a combination of old elements, and

in the combination each element merely would have performed the same function as it

did separately, and one of ordinary skill in the art would have recognized that the results

of the combination were predictable.

Regarding Claims 19-20 O'Flaherty teaches a system and method wherein each

of the model generation activities includes choices by be the user and the method

further comprises: the user re-entering/adjusting an one or the model generation

activities/a choice made while continuing to impose the structure sequence on the

model generation activities; the user reviewing the results of the adjustment/re-entering

(Column 2, Lines 10-17; Column 4, Lines 35-61; Column 5, Lines 1-14; Column 8, Lines

3-12).

Regarding Claim 21 O'Flaherty teaches a system and method wherein the re-

entry/adjusting is made iteratively (recursively, repeatedly, successively, more than

once; Column 2, Lines 7-17; Column 8, Lines 38-40).

Regarding Claim 24 O'Flaherty teaches a system and method wherein each of

the model generation activities is represented/indicated by an icon (graphic, indicia, text,

symbol, etc.) the icons being connected by transitional graphical elements (links,

Column 5, Lines 1-14; Column 6, Lines 57-58; Column 7, Lines 1-13; Figure 4).

Regarding Claims 25-26 O'Flaherty does not expressly teach that the icons indicate the status of one or more activities or further wherein the transitional graphical elements are show in one style for completed transitions and another style for transitions that are optional or in process as claimed.

Official notice is taken that it is old and well known to utilize icons (graphics, images, user interface elements/components, etc.) to indicate the status of one or more activities (tasks, processes, workflows, etc.) and/or transitions between activities in workflow systems and method wherein such status enable users to visually identify what steps (activities, tasks, processes, etc.) in the workflow/processes have been taken, are pending, generated an error or the like (i.e. display status information).

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by the combination of O'Flaherty and ForecastPro would have benefited from visually indicating (e.g. via its icons) the status of one or more modeling activities/tasks/transitions between activities in view of the teachings of official notice, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 27 O'Flaherty does not expressly teach maintaining information about successive states and transitions of the model generation activities as claimed.

ForecastPro teaches maintaining information about successive states and transitions of the model generation activities (audit log, storing/keeping the reasoning behind the model selection decisions; Paragraph 1, Page 4; Paragraph 2, Page 9) in an analogous art of predictive modeling for the purpose of keeping/recording a permanent record of the model generation activities performed (Paragraph 2, page 9).

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by O'Flaherty would have benefited from maintaining information about successive states and transitions of the model generation activities in view of the teachings of ForecastPro, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

11.   Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

O'Flaherty, U.S. Patent No. 6,954,758 in view of Business Forecast Systems, Inc.

ForecastPro system and method (product) as evidenced by at least the following:

ForecastPro Product Brochure (2000) as applied to claim 8 above, and further in view of

New Technology (1995).

        Regarding Claim 22 O'Flaherty teaches a system and method further comprising

        - the user interacting with a system (single integrated model generation platform,

software, application, GUI, etc.; workbench; Figures 3-4);

        - processing the historical (existing, past, etc.) data (e.g. Lost California

Customers, Figure 4, Element 400 is historical data);

        - generating of the model (Column 3, Lines 34-45; Column 5, Lines 1-13, 52-68;

Column 7, Lines 1-12, 37-68; Figures 3-4);

        - generating an output identifying a selection including listing (providing,

displaying, filtering, etc.) by propensity of prospective or current customer data based

on scoring of the data using the model (Attrition Propensity Model; Figure 3 – "Churn

Rate", "Frequent Customers", "Rich Customers"; Figure 4 - "Churn Propensity",

"Attrition Propensity").

        O'Flaherty does not expressly teach the ranking by propensity of prospective or

current customer data based on the scoring data as claimed.

New technology teaches the well known ranking by propensity of prospective or current customer data (Abstract) in an analogous art of predictive modeling for the purpose of modeling customers usage of a product or service.

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by the combination of O'Flaherty and ForecastPro with its ability to score a plurality of current or prospective customer data using the predictive model would have benefited from ranking those scored customers in view of the teachings of New technology, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Regarding Claim 23 O'Flaherty does not expressly teach encrypting the output as claimed.

Official notice is taken the encrypting data for output is old and well known and utilized for a plurality of well known and common business reasons such as the need to transmit (output) the data over a private network (e.g. Internet) wherein the data encryption serves to ensure that the data is only available/accessible by its intended recipient.

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by the combination of O'Flaherty and ForecastPro would have benefited from encrypting the output in view of the teachings of official notice, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Sheppard, U.S. Patent No. 6,026,397, teaches a system and method for analyzing historical data including but not limited to scoring and ranking customers by propensity.

- Kil et al., U.S. Patent No. 6,684,208, teach a data mining system and method comprising the well known activity/step of dimension reduction.

- Tamayo et al., U.S. Patent No. 6,836,773, teach a system and method for obtaining and analyzing (data mining) historical data in order to generate (predictive) models of consumer/customer behavior via a graphical user interface.

- Keeler et al., U.S. Patent No. 6,879,971, teach a system and method for assisting users in generating (predictive) models via a graphical user interface which includes a structured sequence of model generation activities to be followed.

- Walter et al., U.S. Patent Publication No. 2003/0088565, teach a system and method in which a user generates a predictive model based on historical data about a system to be modeled via a graphical user interface which provides a structured sequence of model generation activities.

- Xu et al., U.S. Patent Publication No. 2004/0030667, teach an automated system and method for assisting users, via a graphical user interface, in creating (predictive) models wherein the user interface provides a structure sequence of model generation activities to be followed.

- Tashman et al., Automatic Forecasting Software (1991), teach the well known commercially availability of systems and methods (single platforms) for assisting users in generating forecasts (predictive models).

- Wang et al., An Expert System for Forecasting Model Selection (1992), teach a system and method for assisting users in performing a plurality of well known (predictive) model activities wherein in an optimal model is selected based on a plurality of factors including data characteristics and project goals/objectives.

- Harrison et al., An Intelligent Forecasting System (1993), teach a system and method for assisting a user in generating a predictive model (forecast) through a structured sequence of model generation activities provided by a user interface wherein an optimal model is selected based on a plurality of factors including but not limited to characteristics of historical data and project goals/objects.

- Pinto, Smart Data Use Can Improve Bank Insurance Marketing (2002), teach the generation and use of predictive models of consumer/customer behavior in the financial and insurance industries (e.g. modeling customer retention) as well as the need to update/re-generate predictive models periodically to avoid model decay.

- Autobox 5.0 for Windows - User's Guide (1999), teaches a system and method for assisting users generate predictive models of customer/consumer behavior (e.g. purchases) comprising providing through a graphical user interface a structured sequence of model generation activities such as dataset generation, variable transformation, model generation, model validation, optimal model selection, model re-generation and the like.

- SmartSoftware Web Pages (2001), teaches a commercially available system and method in which users generate a predictive model based on historical data about a system being modeled wherein the system/method provides to the user via a graphical user interface a structured sequence of model generation activities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Bayat can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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